



PATENT  
Attorney Docket No. BSC-011

GP-3736  
#101 Suppl  
Prior art

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

APPLICANT: Crowley

MAR 03 1999

SERIAL NO.: 08/922,263

GROUP NO.: 3736

FILED: September 2, 1997

EXAMINER: D.Shay

TECHNOLOGY CENTER 3700

TITLE: INTERVENTIONAL PHOTONIC ENERGY EMITTER SYSTEM

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

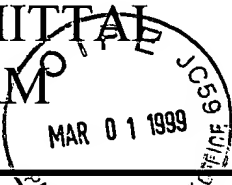
I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231 on this 26<sup>th</sup> day of February 1999.

*Olivia J. Mannion*  
Olivia J. Mannion

Assistant Commissioner for Patents  
Washington, D.C. 20231

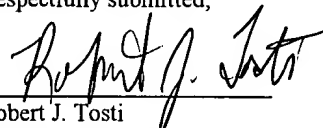
Sir:

Submitted herewith are the following: Transmittal Form (1page); Fee Transmittal (1 page); Third Supplemental Information Disclosure Statement (2 pages); Form PTO - 1449 (2 pages); References Labeled AAAA to AAAAJ and BU to BZ; Check in the Amount of \$240.00; and a mailroom postcard.

<b>TRANSMITTAL FORM</b> 	Application Serial Number	08/922,263
	Filing Date	September 2, 1997
	First Named Inventor	Crowley
	Group Art Unit	3736
	Examiner Name	D. Shay
	Attorney Docket No.	BSC-011

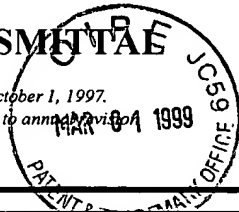
**RECEIVED**  
MAR 05 1999  
TECHNOLOGY CENTER 3700

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Third Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> PTO-1449 Form <input checked="" type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Date: February <u>23</u> , 1999 Reg. No. 35,393 Tel. No.: (617) 248-7374 Fax No.: (617) 248-7100 Respectfully submitted,  Robert J. Tosti Attorney for the Applicant Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110

# FEE TRANSMITTAL

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision.



Complete if Known

Application Serial Number	08/922,263	RECEIVED MAR 03 1999 TECHNOLOGY CENTER 1700
Filing Date	September 2, 1997	
First Named Inventor	Crowley	
Group Art Unit	3736	
Examiner Name	D. Shay	
Attorney Docket No.	BSC-011	

## METHOD OF PAYMENT

- ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
- ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.

## FEE CALCULATION

### 1. FILING FEE

#### Large Entity

Fee (\$)	Fee Description	Fee Paid
760	Utility filing fee	
310	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	- 20 =		x \$ 18.00 =	

Independent Claims	- 3 =	x \$ 78.00 =	
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☐ Multiple Dependent Claim(s), if any \$260.00 =

TOTAL:  
SMALL ENTITY DISCOUNT:  
SUBTOTAL (1) (\$) 0.00

### 2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 78.00 =

☐ First Presentation of Multiple Dep. Claim + \$260.00 =

TOTAL: (\$)  
SMALL ENTITY DISCOUNT: (\$)  
SUBTOTAL (2) (\$) 0.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
380	190	Extension for reply within second month	
870	435	Extension for reply within third month	
1,360	680	Extension for reply within fourth month	
1,850	925	Extension for reply within fifth month	
300	150	Notice of Appeal	
300	150	Filing a brief in support of an appeal	
260	130	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
240	240	Submission of Information Disclosure Statement (37 CFR 1.97(c))	240.00
130	130	Submission of Information Disclosure Statement (37 CFR 1.97(d))	
760	380	Filing a submission after final rejection (37 CFR 1.129(a))	
760	380	For each additional invention to be examined (37 CFR 1.129(b))	
		Other (Specify)	

SUBTOTAL (3) (\$) 240.00

SUBTOTAL (1) 0.00  
SUBTOTAL (2) 0.00  
SUBTOTAL (3) 240.00

TOTAL (\$) 240.00

## CORRESPONDENCE ADDRESS

Direct all correspondence to:  
Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: February 23, 1999  
Reg. No.: 35,393  
Tel. No.: (617) 248-7374  
Fax No.: (617) 248-7100

Respectfully submitted,  
  
Robert J. Tosti  
Attorney for the Applicant  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110



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EXAMINER: D. Shay

TITLE: INTERVENTIONAL PHOTONIC ENERGY EMITTER SYSTEM

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the references listed on the accompanying PTO Form 1449 for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the references are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. § 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **Filing Date** or before the mailing date of the **First Office Action** on the merits; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and
- ☐ the requisite Certification is attached hereto, **OR**
- ☒ the requisite fee under Rule 1.17(p), namely **\$240.00**, is included herein, or
- ☐ (3) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, **AND**
- ☐ Applicant hereby Petitions the Commissioner to accept and consider the attached Information Disclosure Statement, **AND**
- ☐ the requisite Certification, is attached hereto, **AND**

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01 FC:126

☐ the requisite petition fee due under Rule 1.17(i)(I), namely \$130.00 is included herein.

It is respectfully requested that each of the documents shown on the attached form PTO-1449 be made of record in this application.

### CERTIFICATION

As required under §1.97(e), Applicants, through the undersigned, hereby certify either that [check the appropriate space]:

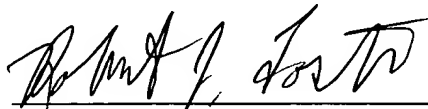
- ☐ 1. [E]ach item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application **not more than** three months prior to the filing date of the Statement; or
- ☐ 2. [N]o item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this Certification after making reasonable inquiry, was known to **any** individual designated in §1.56(c) **more than** three months prior to the filing of the Statement.

### FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 20-0531. Any overpayments should be credited to said Deposit Account.

Date: February 13, 1999  
Reg. No.: 35,393

Tel. No.: (617) 248-7374  
Fax No.: (617) 248-7100

  
\_\_\_\_\_  
Robert J. Testa  
Attorney for the Applicant  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110